

EXHIBIT K-1



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FORENSIC-PSYCHIATRIC EVALUATION

NERIK ILYAYEV

Indictment No.: 23-CR-00506

APRIL 2, 2024

Ms. Deborah Colson
Moskowitz Colson Ginsberg & Schulman
80 Broad Street, Suite 1900
New York, NY 10004

Dear Ms. Colson,

At your request, I performed a psychiatric evaluation of your client, Mr. Nerik Ilyayev, a 36 year old man who pleaded guilty to one count of conspiracy to commit healthcare fraud for an incident that occurred on and between December 2020 and October 2022. The purpose of the examination was to assist you in gaining a better understanding of any underlying psychological factors that could be considered mitigating in the sentencing of this case. The examination took place via Zoom, a secure video-conferencing platform, on February 29, 2024, and at my office, located at 303 Fifth Avenue, Suite 403, New York, NY 10016 on March 6, 2024.

In conducting this psychiatric evaluation, I reviewed Mr. Ilyayev's personal, social, educational, vocational, and psychiatric histories, and I reviewed his understanding of the circumstances that led to his legal troubles. I performed a mental status examination in order to assess Mr. Ilyayev's intelligence, thought processes, cognitive functioning, memory, credibility, orientation, judgment, insight, and impulse control. The limits of confidentiality inherent to such an evaluation were explained to Mr. Ilyayev.

In addition to my examination, the following collateral interviews were conducted via telephone:

1. Margarita Fayzaova, Mr. Ilyayev's wife, on March 6, 2024
2. Boris Ilyayev, Mr. Ilyayev's brother, on March 6, 2024
3. Ilya Ilyayev, Mr. Ilyayev's brother, on March 6, 2024
4. Daniel Shimon, friend of Mr. Ilyayev, on March 6, 2024

Additionally, I reviewed the following documents in making my assessment:

1. Legal Discovery:

- a. The United States of America v. Nerik Ilyayev and Mukhiddin Kadirov, Complaint, dated April 11, 2023
- b. United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023
- c. United States v. Nerik Ilyayev, Signed Plea Agreement, dated September 26, 2023

2. Medical Records:

- a. NYU Langone, medical records of Rivka Arabova, dated June 30, 2015, to October 25, 2023
- b. Op Note for Endoscopic Assisted Suturectomy for Sagittal Synostosis for Asher, dated March 3, 2023
- c. Zinoviy Gutkovich, M.D, Intake Appointment Document, dated December 29, 2023
- d. FollowMyHealth, medical records for Masanel Ilyayev, dated September 9, 2016, to October 25, 2023
- e. ColumbiaDoctors, medical records for Odelia Ilyayev, dated November 6, 2018, to August 2, 2019
- f. R.J. Zuckerberg Cancer Center, medical records for Rivka Arabova, dated September 6, 2023
- g. Surgical Oncology at Lake Success, medical records for Rivka Arabova, dated August 24, 2021, to January 12, 2022

3. Additional Documents:

- a. Character Letter, authored by Bella Davydov, dated October 5, 2023
- b. Character Letter, authored by Boris Ilyayev, undated
- c. Character Letter, authored by Rego Park Seniors Club LLC, undated
- d. Character Letter, authored by Diana Badalova, dated October 30, 2023
- e. Character Letter, authored by Doris Shamuilova, undated
- f. Character Letter, authored by Diana Aminova, undated
- g. Character Letter, authored by Diana Shamalova, dated October 26, 2023
- h. Character Letter, authored by Dmitriy Shimanov, dated October 26, 2023
- i. Character Letter, authored by Danil Shimonov, undated
- j. Character Letter, authored by Elisheva Rubinova, undated
- k. Character Letter, authored by Eugene Urkin, undated
- l. Character Letter, authored by Gary Kaziyev, dated October 30, 2023
- m. Character Letter, authored by Ilya Ilyayev, dated October 20, 2023
- n. Character Letter, authored by Jonathan Gruner, undated
- o. Character Letter, authored by Greg and Julia Shimon, dated February 19, 2024
- p. Character Letter, authored by Kathy Suleymanov, dated November 1, 2023
- q. Character Letter, authored by Margarita Fayzakova, undated

Forensic-Psychiatric Report
Nerik Ilyayev

- r. Character Letter, authored by Nathan Rafaelov, dated October 20, 2023
- s. Character Letter, authored by Nikita Shimunov, dated November 1, 2023
- t. Character Letter, authored by Riva Abayeva, undated
- u. Character Letter, authored by Rabbi Josef Z. Bloch, dated October 25, 2023
- v. Character Letter, authored by Rabbi Raphael B. Butler, dated January 9, 2024
- w. Character Letter, authored by Rabbi Shimon Peretz, dated November 1, 2023
- x. Character Letter, authored by Roman Aminov, Esq., dated October 23, 2023
- y. Character Letter, authored by Ruben Fayzakov, dated October 29, 2023
- z. Character Letter, authored by Roman Kusayev, dated October 29, 2023
- aa. Character Letter, authored by Ruslan and Radmila Nektalov, dated October 25, 2023
- bb. Character Letter, authored by Radmila Shimanova, dated October 23, 2023
- cc. Character Letter, authored by Steve Fayzakov, undated
- dd. Character Letter, authored by Shifro Khodzhaeva, dated October 10, 2023
- ee. Character Letter, authored by Tanya Uvaydova, dated October 20, 2023
- ff. Character Letter, authored by Vera Mulodzhanova, undated
- gg. Character Letter, authored by Yafa Abayeva, dated November 5, 2023
- hh. Character Letter, authored by Yelizaveta Badalova, dated November 5, 2023
- ii. Character Letter, authored by Arthur and Zina Iskhakov, dated November 1, 2023
- jj. Northwell Health Department of Surgery, Letter, authored by Mansoor H. Bed, M.D., dated February 2, 2024
- kk. Northwell Health, Letter, authored by Kit Cheng, M.D., dated February 16, 2024
- ll. Northwell Health, Letter, authored by Neeral Patel, M.D., FACC, dated February 8, 2024
- mm. Northwell Health, Letter, authored by Dr. Jason McKean, dated February 22, 2024
- nn. OCLI Vision, Letter, authored by Craig Marcus, M.D., dated February 20, 2024
- oo. Video Presentation provided by Nerik Ilyayev, undated

LIFE BEFORE THE UNITED STATES

Of note, a few very minor discrepancies involving several specific dates of events, as well as the amount of marijuana Mr. Ilyayev has used throughout his life, were noted between his account to us and what is detailed in the PSR. These were deemed insufficient to cast doubt as to Mr. Ilyayev's reliability and were well within the scope of any such discrepancies found in the course of any evaluation.

Mr. Nerik Ilyayev is a 36-year-old, Russian-Jewish man from Uzbekistan, who was born on April 20, 1987, in Samarkand, Uzbekistan, to the marital union of Rivka Arabova (78) and Masanel Ilyayev (82). Mr. Ilyayev lived in Uzbekistan until he was approximately three years old, when he and his family moved to Moscow, Russia for the next 11 years. Per

*Forensic-Psychiatric Report
Nerik Ilyayev*

Mr. Ilyayev, there were no complications with his mother's pregnancy or delivery of him, and he reached all developmental milestones at an appropriate age. Further, he denied a history of childhood hospitalizations, though he did indicate that he had the chickenpox when he was approximately eight years old. He denied any major or long lasting complications resulting from this illness.

Mr. Ilyayev reported that his parents faced immense challenges in their marriage, which began prior to his birth. Per Mr. Ilyayev, his parents had their first child, a son, Benjamin, in 1983. When Benjamin was 11 months old, he reportedly began to experience health issues, which required surgery. Unfortunately, due to a complication with the surgery, Benjamin passed away shortly thereafter. Mr. Ilyayev reported that this was a devastating loss for his parents, and his father took it especially hard. The tragedy placed a heavy strain on their relationship, and while they never officially divorced, his parents did separate for a brief period, and his father moved to Russia. Mr. Ilyayev reported that his father would travel back and forth between his residence in Russia and Uzbekistan while he and his wife worked on repairing their marriage. The two ultimately had another son, Mr. Ilyayev's older brother Boris Ilyayev, in 1984. Two years later, it was revealed that his father had been having an affair with another woman in Russia, and that she birthed his son, Mr. Ilyayev's older half-brother Ilya Ilyayev, in 1986.

After finding out about her husband's infidelity, Mr. Ilyayev's mother initially wanted to leave his father, however she was already pregnant with Mr. Ilyayev and she didn't want to separate her children from their father. Instead, the two remained married, and Mr. Ilyayev was born in 1987. In approximately 1991, the family moved to Moscow, Russia, and sometime between 1994 and 1995, Ilya was brought into the home by Mr. Ilyayev's father, and raised alongside his half-brothers.

While living in Uzbekistan with his family, Mr. Ilyayev stated, his mother was employed as a hematologist and his father as a chef. Upon their relocation to Moscow, Russia, his mother became a homemaker, and his father became the sole financial supporter of the family. As a result, his father was working "from morning to night," and his mother was the primary caretaker of the children. Mr. Ilyayev reported that he had a supportive and healthy relationship with both of his parents throughout his childhood, which continues to the present day.

While Mr. Ilyayev denied having experienced any physical, sexual, or emotional abuse during his childhood, he did indicate that his father was a "strict disciplinarian," who "had his own ways of handling the kids." Mr. Ilyayev alluded to his father utilizing corporal punishment as a form of discipline, though explicitly stated that he does not view his father as abusive, nor does he consider himself a victim of abuse.

Despite the fact that Mr. Ilyayev's mother ultimately decided to remain married to his father and raise his love child as her own, Mr. Ilyayev reported that the home was fraught with verbal disputes between his parents. He stated that he witnessed his parents arguing "all

the time” during his early childhood and, after Ilya had joined their family, Ilya’s biological mother had shown up to the home on multiple occasions in an attempt to take Ilya back with her, which always resulted in “screaming fights with my mom.” In addition to the animosity Mr. Ilyayev witnessed at home, he and his family experienced religious persecution, as they were targets of many antisemitic verbal and physical attacks as a result of their Jewish beliefs and religious practices. Despite the family’s attempts to practice their religion in secret, their appearances made that difficult, therefore attracting unwanted attention.

Regarding his education, Mr. Ilyayev stated that he grew up in a family where education was “mandatory,” and very highly valued. With his mother being a physician and his father holding a master’s degree in engineering, Mr. Ilyayev and his siblings were expected to excel in school and obtain highly respected professions. He completed the first through the ninth grades in Russia, prior to his immigration to the United States, at a Jewish private school. He reported no learning difficulties or behavioral issues and an average academic performance. He indicated that he enjoyed school and made several friends, however his time in school was marred by racial and religious bullying as the commute to and from school was rather dangerous because of antisemitic targeting. As an example, Mr. Ilyayev reported that he and his brothers were on the train on their way home from school one day when he was 13 years old, when several members of a gang, known as the Skinheads, approached them on the train and “started talking bad to us.” He stated that they attempted to flee but “they beat us up pretty bad, my brother was on the train tracks. Luckily some older men got involved and stopped the situation.” When the boys returned home and informed their mother of the attack, “she said she couldn’t take it anymore and we decided to move out [of the country].”

ADJUSTMENT TO LIFE IN THE UNITED STATES

In 2001, when Mr. Ilyayev was approximately 14 years old, he immigrated to Rego Park, NY with his mother and two brothers, as his father initially stayed behind in Russia. He reported that it was difficult for the family to make ends meet financially, as his father had been their source of financial support for the past ten years, so without him there, the family struggled. Additionally, Mr. Ilyayev and his family did not speak the English language at the time of their immigration, greatly limiting their employment and social opportunities. Despite these challenges, Mr. Ilyayev sought employment immediately upon arriving in the United States, and shortly after he managed to obtain a job at a local supermarket, Universal Foods, and began working as frequently as possible in order to earn money to support his family. He indicated that, with his father in Russia and his mother out of work, Mr. Ilyayev became the main breadwinner of the household by the time he was 15 years old.

The first year in the United States was particularly difficult for Mr. Ilyayev and his family, particularly his mother. Upon their arrival to the country in 2001, Mr. Ilyayev, his mother, and his two brothers moved into his uncle’s one-bedroom apartment, which they

*Forensic-Psychiatric Report
Nerik Ilyayev*

shared with his cousin. Reportedly, Mr. Ilyayev's family came to the United States under the status of Humanitarian Parole, and they anticipated financial assistance and benefits from the government upon their arrival, which they expected to use in order to move into their own residence. However, for unknown reasons, they never received such assistance, and were subsequently constrained to continue to share the one-bedroom apartment among five people. Additionally, Mr. Ilyayev's mother's mental health was declining, as she was struggling greatly with adjusting to American life. She never resumed working as she had become the primary caregiver for three children due to their father's absence, and she did not speak the English language, which prevented her from creating social relationships, further isolating her from the community. As additional stresses, two of her brothers passed away suddenly within one week of each other back in Uzbekistan. Reportedly, one of her brothers was found dead, and the circumstances surrounding his death remain unknown. Mr. Ilyayev's mother mourned her losses alone, without her remaining family members to support her. Further, in 2002, she was diagnosed with breast cancer, and required extensive medical treatments.

In response to Mr. Ilyayev's mother's difficulties, his father immigrated to the United States and joined them in 2002, around the time that his mother was diagnosed with breast cancer. Rather than reclaim his role as the breadwinner of the family, however, his father experienced significant struggles of his own. Reportedly upon his arrival he exhibited, what Mr. Ilyayev considered to be, depression, as he, too, did not know the English language and did not return to work. In 2003, as Mr. Ilyayev's mother went through chemotherapy and radiation for her cancer treatment, his father suffered from two cerebrovascular accidents, rendering the left side of his body nearly paralyzed. At that point, Mr. Ilyayev was working to financially support both of his parents, neither of whom were physically or mentally capable of working, and who now each had expensive medical bills to cover on top of their day to day lives. Mr. Ilyayev reported that they often "didn't have food on the table." In addition to caring for his parents' monetary needs, he also physically supported them in response to their physical incapability associated with their newfound health problems.

Despite the financial hardship his family was in, Mr. Ilyayev indicated that school was still an important aspect for his family, and he resumed his education in the tenth grade at Forest Hills High School in Queens, NY. He indicated that he was enrolled in English Second Language (ESL) classes, and received average grades. He reported that he made a few Russian-speaking friends, though he did not take part in any extracurricular activities because all of his time that he was not in school was exclusively devoted to working at Universal Foods to financially support his family, which he did seven days a week. He ultimately graduated from high school in 2004.

After graduating high school Mr. Ilyayev continued his education at York College, and at the same time was working as a sales associate at a jewelry store, a job he obtained during his senior year of high school, for as many hours per week as he was able. In 2006, however, Mr. Ilyayev was forced to drop out of college, as it was too difficult for him to work full-time and be enrolled in a full course load of college classes. Shortly after, Mr.

*Forensic-Psychiatric Report
Nerik Ilyayev*

Ilyayev's father experienced health difficulties in relation to his chronic bronchitis, and he accompanied his father to Russia to receive medical care. Mr. Ilyayev reported that he expected to be out of the country for one week, however upon arrival in Russia his father was hospitalized, and their trip extended to a full month due to the severity of his father's condition. Once his father recovered and they returned to the United States Mr. Ilyayev was fired from his job at the jewelry store, as, evidently, he had not shown up for work in the month he was out of the country. Mr. Ilyayev continued to accompany his father on these trips to Russia approximately once per year.

The following academic semester, Mr. Ilyayev enrolled at Queensborough Community College where he was working towards an associate degree, hoping to secure placement in a dentistry program.¹ He ultimately withdrew from that institution, again to earn as much money as possible for his parents, and he needed to work more hours than his school schedule allowed.² Per Mr. Ilyayev, he soon enrolled in an educational program again, as he attended cosmetology school in 2008, and obtained his cosmetology license in 2009. He indicated that, while this profession was far from what he initially saw himself becoming when he immigrated to the United States, a cousin of his told him that he could "make money fast" in the cosmetology business, which compelled Mr. Ilyayev to enroll. He worked as a hairstylist from 2008 until 2012, during which time he worked in three different studios.

During that time, while Mr. Ilyayev was still working to support his parents, his mother entered remission and was able to return to school. She reportedly became a consultant for individuals struggling with substance abuse and worked in this capacity for the next several years. Mr. Ilyayev's father, however, was unable to return to work as his medical issues continued to worsen.

From 2010 to 2014, while Mr. Ilyayev was working as a hairstylist, he again went back to school and enrolled at Moscow University of Untrapanuv, which was located in Moscow, Russia. Mr. Ilyayev stated that he attended the courses remotely from New York, and flew to Moscow every year in order to take the examinations. After earning a bachelor's degree in finance, Mr. Ilyayev continued his education at the same institution from 2018 to 2022, and he earned a master's degree in law. In 2022 Mr. Ilyayev enrolled in law school at St. John's University, and began his coursework in 2023. At the present time, he is actively taking classes and is expected to graduate in December 2024.

Intermittently from 2012 until 2019, Mr. Ilyayev earned additional income through the opening and selling of pharmacies. He reported that he opened and closed three pharmacies during those years.

Concerning Mr. Ilyayev's relationship history, the only significant romantic relationship he has had in his life is that with his wife, Ms. Margarita Fayzakova. He reported that they met in 2015 when Mr. Ilyayev was 27 years old, through a family friend, and the

¹ United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023

² United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023

two married the following year. Mr. Ilyayev and Ms. Fayzakova have three children together and are currently expecting a fourth child to be due in May 2024. Unfortunately, in regard to the health of Mr. Ilyayev's children, there have been multiple medical challenges that they have been faced with at very early ages.

Mr. Ilyayev and Ms. Fayzakova welcomed their first child, [REDACTED] Ilyayev, in 2017, with no reported issues or difficulties. The following year, the two had their second child, [REDACTED] Ilyayev. While Ms. Fayzakova was pregnant with [REDACTED], physicians informed them that she was diagnosed with a cleft lip and palate, and would require several surgeries during her infancy. Mr. Ilyayev reported that he and his wife had a difficult time accepting the news, as he stated that "we went through a lot of depression with that." Reportedly, their community advised Mr. Ilyayev and his wife to abort [REDACTED], but their religion prohibited such action. After [REDACTED] was born, she underwent cheiloplasty surgery at three months old, which went smoothly. Mr. Ilyayev reported that [REDACTED] is "beautiful and perfect," and has not had any other significant health issues. In the years that followed, Ms. Fayzakova suffered two miscarriages³ and, in 2022, the couple were surprised with the pregnancy of their son, [REDACTED], who was born in 2022. While there were no developmental issues prior to his birth, when [REDACTED] was two months old, he was diagnosed with craniosynostosis, a rare condition that affects how the baby's skull grows and shapes their head.⁴ Surgery was performed on [REDACTED] when he was two months old, approximately one month before Mr. Ilyayev's arrest for the instant offense. Following the surgery, [REDACTED] began helmet therapy to prevent his skull from closing too quickly again, and he is currently doing well. The couple now expects their fourth child, a surprise pregnancy that occurred despite Ms. Fayzakova having been on birth control at the time of conception, to be born at the end of May 2024.

In 2021 Mr. Ilyayev's mother's cancer returned, and she had a bilateral mastectomy. In addition to this, his mother actively suffers from type II diabetes and high blood pressure. Further, since Mr. Ilyayev's arrest, his mother has experienced significant cardiac distress, and requires a wheelchair to move, as she is unable to walk more than a few steps without shortness of breath. Mr. Ilyayev's father's health has continued to decline as well, as in 2016 he suffered from deep vein thrombosis and an infection in his large intestine, for which he was hospitalized.⁵ His father also suffers from chronic bronchitis, type I diabetes, atrial fibrillation, high cholesterol, and is actively recovering from a broken hip.⁶ Mr. Ilyayev has been caring for his parents, both physically and financially, for the duration of his life in the United States. More recently, documents indicate, he obtained a job through Unified Home Care in April 2020, and through this position, has been employed as a paid home attendant, caring for his mother.⁷

³ United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023

⁴ United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023

⁵ United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023

⁶ United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023

⁷ United States of America vs. Nerik Ilyayev, Presentence Investigation Report, dated December 22, 2023